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Jet Star Enterprises, Ltd.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JET STAR ENTERPRISES LTD., :
: Plaintiff, :
: :
: -against- : 05-CV-6585 (HB)
: :
: GEORGE SOROS, PERNENDU CHATTERJEE, :
: DEUTSCHE BANK TRUST CO. AMERICAS, :
: MORGAN STANLEY CS AVIATION :
: HOLDINGS LLC, WELLS FARGO BANK :
: NORTHWEST, N.A., AKIN, GUMP et al, :
: BINGHAM, McCUTCHEON et al., SIDLEY, :
: AUSTIN, et al, and MB STATUTORY TRUST, :
: :
: Defendants. :
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NOTICE OF MOTION

Filed Electronically

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and all prior proceedings herein, the undersigned will move this Court before the Honorable Harold Baer, Jr., United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, at such time as the Court hereafter determines, for an order pursuant to Federal Rule of Civil Procedure 12(b) converting Defendants' pending Motion to Dismiss to a Motion for Summary Judgment, and staying further briefing and decision of said motion until discovery is completed. In the alternative, plaintiff moves the Court for an order striking

all matter outside the pleading from defendants' pending Motion to Dismiss. Plaintiff further moves this Court for an order vacating the briefing schedule on Defendant' Motion to Dismiss and propounding a briefing schedule for plaintiff's instant cross-motion.

Dated: San Francisco, California
October 8, 2005

By /s/ V. Elizabeth Grayson
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TO:

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